

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CHARLES L. BIBBS,  
Plaintiff,  
v.  
TUKWILA POLICE DEPARTMENT,  
*et al.*,  
Defendants.

Case No. C08-1620-TSZ-MAT

## ORDER DENYING PLAINTIFF'S MOTION TO COMPEL

13 This is a civil rights action brought under 42 U.S.C. § 1983. This matter comes before  
14 the Court at the present time on plaintiff's motion to compel discovery. The Court, having  
15 reviewed plaintiff's motion, defendants' response thereto, and the balance of the record, does  
16 hereby find and Order:

17 (1) Plaintiff's motion to compel discovery (Dkt. No. 54) is DENIED. Plaintiff, by  
18 way of the instant motion, seeks to compel responses to his second set of interrogatories  
19 directed to defendant Steven Gurr. Defendants argue in their response to plaintiff's motion  
20 that the motion should be denied because plaintiff made no attempt to meet and confer with  
21 defendants' counsel prior to filing the motion as required by Fed. R. Civ. P. 37(a)(1).  
22 Defendants also assert in their response that the interrogatories at issue were, in fact, sent to

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01 plaintiff on September 17, 2010. Plaintiff does not challenge this assertion. It thus appears  
02 that plaintiff's motion is moot.

03 (2) The Clerk is directed to send copies of this Order to plaintiff, to counsel for  
04 defendants, and to the Honorable Thomas S. Zilly.

05 DATED this 22nd day of December, 2010.

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Mary Alice Theiler  
United States Magistrate Judge